

1998 Commissioners

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Introduction

During 1998, the Commission monitored **283 bills** affecting California women; **84** of those measures were enacted and **55** were vetoed by the Governor. Of the Commission's **36 Priority One** bills (all of which were supported by the Commission), **17** were enacted. The majority of these measures once again impact access to health care and violence against women.

Economic, health, and violence issues continued to dominate the Commission's legislative agenda in this final year of the current two-year session. Of the Commission's 11 Priority One bills vetoed by the Governor, the most significant was his veto of AB 1112 by Assemblymember Bob Hertzberg, which would have provided health care coverage for contraceptives.

There were however some major victories in the area of women's health issues. AB 7 by Assemblymember Valerie Brown requires health care plans and disability insurance policies to allow physicians, in consultation with their patients, to determine the appropriate length of hospital stay following a mastectomy. And AB 12 by Assemblymember Susan Davis ensures that women can seek ob-gyn services directly from their obstetrician/gynecologist without prior approval from another physician, provider, or their insurer.

The Commission's 1999 legislative and policy agenda will focus on **Economic Self-sufficiency for Women**—education, employment, and working families; **Access to Health Treatment and Coverage**—fairness in managed care and research; and **Ending Violence Against Women**—domestic violence and sexual assault.

This report provides a **summary** of legislation **passed** by the Legislature and **signed** by the Governor in 1998. Resolutions are chaptered by the Secretary of State when passed by the Legislature and do not require the Governor's signature. All new laws become effective on January 1, 1999, unless indicated as an "urgency" measure, which generally becomes effective immediately upon signature by the Governor and assignment of a chapter number. You will note also that some Resolutions apply to events which have occurred earlier in the year. Final versions of new laws are available directly from the **Legislative Bill Room**, State Capitol, Sacramento, CA 95814; the **author's** office; or your state **legislator**.

If you would like more information or would like to be added to our **mailing list**—please write, call, fax, or email your request to us—you can also access this information by visiting our website.

1303 J Street, Suite 400
Sacramento, CA 95814-2900
phone: 916-445-3173
fax: 916-322-9466
email: csw@sna.com
website: statusofwomen.ca.gov

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Child and Other Dependent Care

AB 1338 Alquist

Chapter 578

Residential Care Facilities for the Elderly: Advance Directives

Requires that residential care facilities do the following related to advance directives: not condition the provision of care or otherwise discriminate based on whether or not an individual has executed an advance directive; provide education to staff on advance directives issues; provide written information, upon admission to the facility, about the right to make decisions concerning medical care, including the right to accept or refuse treatment and the right to formulate advance directives. Also defines advance directive as instructions relating to the provision of health care when individuals are unable to communicate their wishes relating to medical treatment.

AB 1418 Ortiz (Urgency Measure)

Chapter 64

School-based Before and After School Child Care Programs

Revises existing laws governing eligibility for funding of school-based before- and after-school programs. Beginning with the 1997/98 fiscal year, school sites are eligible to receive funding for these programs where a minimum of 70% of the children are recipients of free or reduced-cost meals through the federal school lunch program. Individual families of pupils attending the eligible school site may participate in the program; and parents or guardians of participating children shall not be assessed any fees.

AB 1428 Ortiz (Urgency Measure)

Chapter 319

After School Learning and Safe Neighborhoods Partnerships Program

Establishes the After School Learning and Safe Neighborhoods Partnerships Program to create incentives for establishing after-school enrichment programs for pupils in kindergarten and grades 1 through 2, inclusive, at participating school sites. States legislative intent that a minimum of \$50 million be appropriated for the program in the annual Budget Act and requires program participants to ensure that no less than 85% of state funding received is allocated to school sites for direct services to pupils.

AB 1857 Escutia

Chapter 655

Child Care and Development Services

Authorizes one-time expenditures of funds to benefit children in subsidized care, including, but not limited to, the purchase of materials approved by the State Department of Education for deferred and major maintenance of existing facilities, respite care, and implementation of capacity building activities, which include new facilities, training, and technical assistance. Such expenditures may not be made unless approved in the annual Budget Act. Also requires the Superintendent of Public Instruction to develop a formula for the allocation of augmentations in the child care budget which give priority to under-served areas and to issue guidelines for local planning councils in directing the use of these funds.

AB 2001 Kuehl

Chapter 287

Employment Agencies: Child Care Providers

Requires employment agencies that refer child care providers to provide prospective employers with specified information regarding the Trustline Registry and requires written verification of receipt of that information by the employer. Also makes it a misdemeanor for an employment agency to place a provider who is not a Trustline applicant or a Trustline-certified registered child care provider.

AB 2061 Granlund (Urgency Measure) Chapter 638

Child Care and Development Services: Public Recreation Programs

Modifies the allocation process for CalWORKS child care funds in San Bernardino County. Also exempts from the California Child Day Care Act and the Day Care Centers Act any public recreation program in Riverside County that meets certain criteria, including periods of operation and employee eligibility requirements (this provision shall become inoperative on September 1, 2001).

AB 2155 Keeley Chapter 660

Residential Care Facilities for the Elderly: Home Health Care

Requires that, prior to or within two weeks after admission to a residential care facility for the elderly, residents who receive home health and their representative meet with appropriate facility staff and a representative of the home health agency to prepare a written record of care to be received and the resident's preferences regarding services. Also requires that the record be reviewed and revised if necessary at least every 12 months.

AB 2284 Torlakson (Urgency Measure) Chapter 318

After School Programs

Establishes the After School Learning and Safe Neighborhoods Partnerships Program to create incentives for establishing after-school enrichment programs for pupils in kindergarten and grades 1 through 2, inclusive, at participating school sites. States legislative intent that a minimum of \$50 million be appropriated for the program in the annual Budget Act and requires program participants to ensure that no less than 85% of state funding received is allocated to school sites for direct services to pupils. Also appropriates \$500,000 to the Department of Education for purposes of implementing this program.

AB 2465 Scott Chapter 722

Child Care

Requires, among other things, that the Superintendent of Public Instruction increase the capacity of the child care system according to specified priorities, including, but not limited to: 1) encouraging contractors to develop and maintain child care spaces during nontraditional hours, including night and on weekends, 2) encouraging providers to expand infant care capacity, and 3) encouraging providers to expand capacity, particularly in geographic areas with high need and limited resources. Also requires the Department of Education in coordination with the Department of Social Services to report and make recommendations to the Legislature and the Department of Finance by March 31, 1999, and December 31, 1999, regarding these activities.

AB 2622 Shelley (Urgency Measure) Chapter 222

Respite Care: Statewide Policy

Requires the Statewide Resources Consultant, a nonprofit community agency under contract with the State Director of Mental Health, to make recommendations for a comprehensive statewide policy to support and strengthen family caregivers, including the provision of respite and other support services. Also requires the Consultant to conduct an inventory and submit an analysis of California's publicly funded programs serving family caregivers of older persons and functionally impaired adults.

SB 831 Karnette**Chapter 413****Child Care: State Employees**

Authorizes the Department of General Services to secure offsite state employee child care facilities, if funds are available, when it is more cost-efficient or when locating the facility offsite would provide an enhanced facility or mitigate security concerns. Also authorizes the Department to charge below-market rents for leased state-sponsored facilities in state-owned space.

SB 1522 Rainey (Urgency Measure)**Chapter 823****Child Care and Development Facilities Funding**

Modifies the Child Care and Development Facilities Direct Loan Fund and the Loan Guarantee Fund, both of which are administered by the Department of Housing and Community Development, to help remove restrictive loan requirements and implement the program more quickly and with better geographic coverage in the state. Also requires the Department to adopt regulations for serving family day care homes efficiently and authorizes the adoption of emergency regulations to implement the award and administration of loans from the funds.

SB 1524 Alpert (Urgency Measure)**Chapter 666****Child Care Centers: Training**

Requires that at least one director or teacher at each day care center and family day care home receive a minimum number of hours of health and safety training that would include components of pediatric first aid, pediatric CPR, and preventive health practices. Also provides that training in preventive health practices would be a one-time-only requirement while pediatric first aid and CPR would be required to be current at all times.

SB 1630 Rosenthal**Chapter 306****Residential Care Facilities for the Elderly**

Current law requires that every substantiated complaint or citation against a residential care facility for the elderly be posted in a conspicuous place within the facility for a period of 6 months. This law instead requires the facility to post copies of all licensing reports issued by the Department of Social Services within the preceding 12 months and all reports issued as a result of the most recent annual visit by the Department. Also requires the facility to, among other things, inform the resident and their representative in writing that such reports are available for review at the facility and that copies are available from the appropriate district office.

SB 1663 O'Connell (Urgency Measure)**Chapter 625****Child Day Care Facilities: Administering Inhaled Medication**

Allows licensees and staff of child care facilities to administer inhaled medication to children if certain requirements are met, including designated training. Also requires the Emergency Medical Services Authority to establish minimum standards for a component of pediatric first aid training that satisfies the training requirements for the administration of inhaled medication.

SB 1756 Lockyer (Urgency Measure)**Chapter 320****After School Programs**

Establishes the After School Learning and Safe Neighborhoods Partnerships Program at elementary, middle, and junior high schools to create incentives for establishing after-school enrichment programs. Among other provisions, states legislative intent that a minimum of \$50 million be appropriated for the program in the annual Budget Act and requires program participants to ensure that no less than 85% of state funding received is allocated to school sites for direct services to pupils.

Residential Care Facilities: Home Health Care

Provides that any nurse assistant or home health aide who meets criminal record clearance requirements for employment in facilities licensed by the Department of Health Services shall also be considered as meeting the clearance requirements for community care facilities; residential care facilities for persons with chronic, life-threatening illness; and residential care facilities for the elderly. Also permits the sharing of client or resident information between a home health agency and an adult community care facility or a residential care facility relative to a patient's condition and the care and treatment provided, including medical information as defined by the Confidentiality of Medical Information Act.

Education

Education: Diversity in Education: Sex Equity in Education Act

Consolidates non-discrimination language in the Education Code into two sections, one for K-12 and one for postsecondary educational institutions, and clarifies a private right of action for discrimination claims arising under the Education Code.

Independent Study: Restrictions

Existing law authorizes a school district or county office of education to offer independent study to meet the educational needs of pupils and provides that not more than 10% of the pupils participating in an opportunity school or program, or a continuation high school, shall be eligible for apportionment credit for independent study. AB 1736 prohibits a pupil who is pregnant or is a parent who is the primary caregiver for one or more of their children from being counted within the 10 percent cap.

Teenage Pregnancy Prevention Grant Program

Existing law establishes a grant program under the Superintendent of Public Instruction, until July 1, 2000, for teenage pregnancy prevention programs targeted at pupils in elementary and secondary schools. AB 2645 extends the repeal date of this program to July 1, 2001, and provides, among other things, that grants may be awarded for a period not to exceed 5 years of program operation.

Education: Pregnant and Parenting Pupils

Repeals existing provisions related to pregnant minors programs and states legislative intent to establish a comprehensive, continuous, and community-linked school based program known as Cal-SAFE. The program shall focus on youth development and dropout prevention programs for pregnant and parenting pupils and on child care and development services for their children. Authorized services for Cal-SAFE programs shall include, among other things, parenting education and life skills classes, home-to-school transportation, health education, career counseling, peer support groups, as well as child and domestic abuse prevention education. Participating agencies shall provide child care and development programs located on or near the schoolsite for the children of teen parents enrolled in Cal-SAFE.

SB 1666 Solis**Chapter 626****Student Opportunity and Access Program**

Eliminates the January 1, 2000, repeal date for operation of the Student Opportunity and Access Program administered by the Student Aid Commission and authorizes the Commission to apportion funds on a progress payment schedule for support of projects designed to increase the accessibility of postsecondary educational opportunities for prescribed elementary and secondary students, including, but not limited to, students from schools that have low eligibility and college participation rates.

SB 1697 Hayden**Chapter 795****Preparatory Courses for College Admissions Tests**

Establishes the College Preparation Partnership Program as a grant program, administered by the State Department of Education, under which matching funds would be allocated to public school sites to contract for the provision of preparation courses for college admissions tests to eligible high school pupils. Priority shall be given to sites with low college attendance rates, high numbers of low-income pupils, and demonstrated school-based efforts to improve college preparatory curriculum and college attendance rates. Also appropriates \$10 million to the Superintendent of Public Instruction for these purposes.

SCR 62 Solis**Resolution Chapter 16****Women's History Month and International Women's Day**

Designates March 1998 as Women's History Month and urges all Californians to join in the celebration of International Women's Day on March 8.

Employment and Small Business Development

AB 835 Wright, R**Chapter 1030****State Contracts: Bidder Preferences and Incentives**

Makes a number of changes to bidder preference programs within the Enterprise Zone Act and the Target Area Contract Preference to increase small business participation in public contracting. Also authorizes a state agency to award a contract for goods, services, or information technology in an amount up to \$49,999 without Department of General Services approval provided two price quotations are obtained from 2 or more small business.

AB 1187 Knox**Chapter 577****Small Business: Business Incubation Program**

Revises existing law regarding business incubation programs, including redefining "incubator" as an entity that facilitates the formation and growth of new small businesses to increase their probability of success by providing or sharing equipment, services, and facilities. Requires the Office of Small Business within the Trade & Commerce Agency to evaluate the program and report its findings to the Legislature on a biennial basis beginning January 1, 2000.

AB 2405 Leach**Chapter 917****Small Business Contracts**

Requires the Small Business Advocate in the State Department of General Services to provide specified services in assisting small businesses; also requires each state agency, except those whose contracting expenditures total less than \$100,000 annually, to designate a small business advocate as a resource for small business suppliers and to apply certain considerations to small business awards.

AB 2418 Olberg**Chapter 188****Volunteers: Seniors**

Requires any state or local agency who chooses to utilize volunteers as part of their work force to implement a policy under which no person aged 60 years or older may be excluded from volunteer service if he or she is physically, mentally, and professionally capable of performing the services required.

AB 2453 Campbell**Chapter 684****California Small Business Development Center Program**

Revises various aspects of the California Small Business Development Center Program including program goals and activities; requires the first plan to be completed no later than July 1, 1999 and updated biennially. States legislative intent that the network of services developed under this program be accessible to small businesses by means of, among other things, a computerized data base.

AB 2505 Olberg**Chapter 821****State Contracts**

Under the Small Business Procurement and Contract Act, “small business” is defined as a business in which the principal office is located in California and the officers are domiciled in California; the business is independently owned and operated; and one which is not dominant in its field of operation. AB 2505 additionally specifies that a “small business” has 100 or fewer employees and average annual gross receipts of \$10 million or less over the previous 3 years, or is a manufacturer with 100 or fewer employees.

SB 654 Johnston**Chapter 99****Discrimination**

Existing law prohibits discrimination in employment-related matters on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, or age. This law provides that “medical condition” shall include “genetic characteristics,” meaning: a) any scientifically or medically identifiable gene or chromosome that is known to be a cause of a disease or disorder in a person or his or her offspring, or b) is determined to be associated with a statistically increased risk of developing a specific disease or disorder, or c) is an inherited characteristic that is presently not associated with any symptoms or any disease or disorder.

SB 1514 Solis**Chapter 276****Garment Manufacture: Registration: Penalties**

Under existing law, any person in the business of garment manufacturing who is not registered with the Labor Commissioner is guilty of a misdemeanor. This law exempts from this provision any person who does not employ any workers and establishes a \$500 civil penalty for certain labor code violations by these individuals.

Equality

ACR 174 Strom-Martin

Chapter 136

Women's Rights Movement

Calls upon educators, government officials, and all California citizens to mark the 150th anniversary of the women's rights movement in the United States with appropriate programs, ceremonies, and activities.

SB 1652 Kopp

Chapter 829

Secretary of State: Document Filing

Makes various changes regarding the filing of documents by the Secretary of State. Among other things, existing law requires the Secretary of State to develop and maintain a registry of distinguished women and minorities who are available to serve on corporate boards of directors. This law authorizes the Secretary of State to transfer information contained in the registry to a campus of the California State University or the University of California interested in maintaining the registry and to transfer funds deposited in the Business Fees Fund to the university selected. The Secretary of State shall maintain the registry until a UC or CSUS campus agrees to do so.

Family Law

AB 913 Runner

Chapter 225

Marriage: Dissolution

Existing law requires county clerks to send copies of judgments of dissolution of marriage, legal separation of parties, and nullity of marriage to the State Registrar monthly. AB 913 additionally requires the superior court clerk in each county to report annually to the Judicial Council the number of each of those judgments entered in the county. After the Judicial Branch Statistical Information System (JBSIS) is operational statewide, those reports shall also include the number of judgments that include child custody, visitation, or support orders. The Judicial Council shall be required to compile that information and publish an annual report detailing statewide statistics.

AB 960 Wright, R.

Chapter 854

Support Orders

Makes various revisions in existing law with respect to support orders. Among other things, provides that the obligor shall not be held in contempt or subject to criminal prosecution for nonpayment of support that is withheld by the employer but not received by the obligee, requires the district attorney to take action to collect the sums withheld, and specifies that the employer who willfully fails to withhold or forward support is also liable for interest. Also requires that any notice from the district attorney requesting a meeting with a support obligor shall advise that person of his or her right to have an attorney present at the meeting.

AB 1396 Alquist

Chapter 899

Child Support: State agencies: Contracts

Establishes the Child Support Compliance Act of 1998 and requires all written contracts with state agencies in excess of \$100,000 to contain: 1) the contractor's acknowledgement of the state's policy regarding the importance of child and family support obligations; and 2) an acknowledgement that he or she is complying with all earnings assignment orders and providing the names of all new employees to the Employment Development Department for inclusion on the New Hire Registry.

AB 1645 Torlakson**Chapter 131****Children**

Existing law prohibits registered sex offenders and persons convicted of certain other offenses against minors from being granted custody or unsupervised visitation with a child unless the court finds there is no significant risk. AB 1645 would require the court to state its reasons in writing or on the record when granting physical or legal custody or unsupervised visitation in these cases.

AB 1837 Alquist**Chapter 229****Children**

Revises existing provisions relative to court orders requiring counseling between parents and minor children involved in custody or visitation disputes to also include “any other party” involved in such a dispute. Also requires the court, in determining if a dispute poses substantial danger to a child to consider, among other factors, any history of domestic violence between all parties involved.

AB 1884 Cedillo**Chapter 981****Proceedings Involving Minors: Interpreters**

Directs the Judicial Council to create a one-year pilot project in at least two counties, one of which will be Los Angeles, to provide that in any child custody proceeding the court shall appoint an interpreter to cover the proceedings at court expense if one or both of the parties is unable to participate fully due lack of proficiency in the English language. The Judicial Council shall submit its findings and recommendations regarding this project to the Legislature by January 31, 2001.

AB 2169 Kuehl**Chapter 858****Human Services**

Makes various changes in California’s child support enforcement program which are required by federal law. Requires the inclusion of labor union hiring halls as an “employer” for purposes of providing information to EDD for inclusion in the “New Employee Registry.” Also revises, among other things, provisions relating to the release of information under a protective order regarding the whereabouts of parties involved in child and spousal support enforcement programs.

AB 2207 Escutia**Chapter 721****Family Law Information Centers**

Creates a pilot project to establish family law information centers, to be administered and selected by the Judicial Council, for the purpose of providing legal resources to low-income family law litigants. The Council shall evaluate the success of the project and report its findings to the Legislature no later than March 1, 2002.

AB 2386 Bordonaro**Chapter 705****Children: Incarcerated Parents**

Prohibits granting of custody or unsupervised visitation rights to a parent convicted of murdering the child’s other parent unless the court finds in writing or on the record that there is no risk to the child and specifies the factors the court may consider in making that finding. Also prohibits any person from taking a child to visit or remain in the custody of a convicted parent without a custody or visitation order or the consent of the child’s custodian or guardian. These prohibitions also apply to visitation between a parent and a dependent child placed in foster care.

AB 2498 Runner**Chapter 249****Child Support Commissioners**

Existing law requires all applications for an order to establish, modify, or enforce child or spousal support, including actions to establish paternity, to be referred for hearing to a child support commissioner. Each superior court is required to provide sufficient commissioners to hear these cases. This law requires the Judicial Council to conduct an evaluation of the child support commissioner system and report the results of its evaluation and recommendations to the Legislature by February 1, 2000. The Council shall also establish a workgroup to advise them in establishing criteria to evaluate the success and failures of the system and how to establish successful outcomes for the system.

AB 2745 Cordoza**Chapter 704****Children: Incarcerated Parents**

This bill enacts the same provisions as AB 2386 (Bordonaro) above.

SB 1410 Burton**Chapter 404****Child Support Enforcement: Incentive Program**

Among other things, revises state child support collection incentive provisions and deletes requirements relating to duties of the Office of the Legislative Analyst with respect to preparation of a performance-based incentive program. Requires that the state child support incentive for any county that elects to receive the incentive shall be between 4% and 13% of the county's child support collections and permits an increase in this percentage under specified circumstances.

SB 2091 Watson**Chapter 75****Dependent Children**

Existing law generally authorizes the juvenile court to order reunification services for parents or guardians when a minor is removed from their custody. This law expands the list of circumstances under which these services do not have to be provided to include those in which the parent or guardian has willfully abducted the child or a child's sibling or half-sibling from his or her placement and refused to disclose their whereabouts, or has refused to return physical custody of the child to his or her placement or social worker.

Health Coverage and Access to Care

AB 7 Brown**Chapter 787****Health Coverage: Breast Cancer**

Requires health care plans and disability insurance policies that provide coverage for mastectomies and lymph node dissections to allow the attending physician and surgeon, in consultation with the patient, to determine the appropriate length of hospital stay. Also requires coverage for prosthetic devices or reconstructive surgery and all complications from a mastectomy.

AB 12 Davis**Chapter 22****Health Care Coverage: Obstetricians and Gynecologists: Direct Access**

Allows health plan enrollees and subscribers to seek ob-gyn services directly from an ob-gyn without prior approval from another physician, provider, or the insurer.

AB 1181 Escutia**Chapter 31****Health Care Coverage**

Among other provisions, this law requires every health care service plan, except a specialized plan, to establish and implement procedures by which an enrollee can receive a standing referral to a specialist. Also provides that enrollees with a life-threatening, degenerative, or disabling condition or disease that requires specialized care over a prolonged period of time can receive referral to a specialist or a speciality care center with expertise in treating the condition or disease to coordinate the enrollee's health care.

AB 1397 Gallegos**Chapter 652****Public Health: Medi-Cal: Maternity Benefits and Services: County Patients**

Under existing law, benefits under the Medi-Cal program shall not be restricted for inpatient hospital care to a time period less than 48 hours following a normal vaginal delivery and less than 96 hours following a caesarean, except under certain conditions. AB 1397, among other things, prohibits a general acute care hospital from executing policies determining differing standards of obstetrical care based on a patient's source of payment or ability to pay for medical services. Declares that to deny or threaten to withhold pain management services from a woman in active labor, based on source of payment or her ability to pay, shall constitute unprofessional conduct.

AB 1621 Figueroa**Chapter 788****Health Care Coverage: Reconstructive Surgery**

Requires, on or after July 1, 1999, certain health care and disability insurance plans to provide coverage for reconstructive surgery, excluding cosmetic surgery. Specifies that "reconstructive surgery" is surgery performed to correct or repair abnormal structures of the body caused by congenital defects, developmental abnormalities, trauma, infection, tumors, or disease for purposes of improving function or giving a patient a normal appearance. Authorizes use of prior authorization and utilization review that may include denial of surgery under specified circumstances, and requires reconstructive surgery to be covered under the Medi-Cal program.

AB 2438 Murray**Chapter 1064****Health Care Service Plans: Maternal and Child Health Services**

Requires, on or after January 1, 1999, certain health and disability insurance plans to provide coverage for participation in the statewide prenatal testing program administered by the State Department of Health Services. Also prohibits a plan from requiring participation in the program as a prerequisite to eligibility for or receipt of any other services.

AB 2558 Mazzoni**Chapter 128****Unemployment Compensation Disability Insurance**

For purposes of unemployment compensation disability insurance, a claimant must establish medical eligibility by filing a claim for benefits supported by the certificate of a treating physician or practitioner. This law includes within the definition of a practitioner a duly licensed midwife.

ACR 112 Bustamante**Resolution Chapter 63****Breast Cancer Awareness Month**

Proclaims the month of October 1998 as Breast Cancer Awareness Month and urges various public and private entities to reflect on the progress made in advancing our knowledge about breast cancer and to publicly reaffirm the commitment to controlling and curing this disease.

ACR 127 Ortiz**Resolution Chapter 28****Ovarian Cancer Awareness Month**

Recognizes April 1998 as Ovarian Cancer Awareness Month and encourages the people of the state to educate themselves regarding the disease and its early detection.

ACR 155 Lempert**Resolution Chapter 152****Breastfeeding**

Encourages the State of California and its employers to support and encourage the practice of breastfeeding by striving to accommodate the needs of employees and ensuring that they are provided with adequate facilities for breastfeeding and expressing milk for their children. Also requests the Governor to declare by executive order that all State employees be provided with similar facilities.

AJR 43 Baca**Resolution Chapter 141****Cardiovascular Disease**

Requests the President and U.S. Congress to support the Women's Cardiovascular Diseases Research and Prevention Act in order to provide funding to expand and intensify research, education, and outreach programs for heart disease.

SB 1129 Sher**Chapter 180****Health Care Service Plans: Disability Insurance**

Requires every health care service plan and certain disability insurers, at the request of the enrollee or insured, to arrange for continuation of covered services rendered by a terminated provider to an enrollee or insured who is undergoing a course of treatment for an acute condition or serious chronic condition, a high-risk pregnancy, or a pregnancy that has reached the second or third trimester.

Violence Against Women

AB 535 Brown (Urgency Measure)**Chapter 697****Victims of Crime**

Makes various changes in existing law regarding assistance to victims of crime for pecuniary losses they suffer as a direct result of criminal acts. Revises the time period in which an application for assistance must be filed to authorize the State Board of Control, for good cause, to grant an extension not to exceed 3 years after the date of the crime or 3 years after the victim attains the age of 18. Also authorizes the Board to grant an additional extension beyond 3 years when the claim is filed under specified circumstances, and further requires the Board to adopt guidelines that allow them to consider and approve applications for assistance based on domestic violence.

AB 1115 Knox**Chapter 456****Sexual Assault: Victim's Support**

Revises existing law regarding a sexual assault victim's right to have a counselor and at least one other support person of their choosing present during medical evidentiary or physical examinations and any interviews with law enforcement authorities, district attorneys, or defense attorneys. Authorizes exclusion of the support person if determined by the medical provider, law enforcement officer, or district attorney that their presence would be detrimental.

Requires that notice of the victim's rights be given prior to commencement of the initial interview by law enforcement or the district attorney, and revises what forms of contact constitute a law enforcement interview. When this notice is given, the attending law enforcement authority or district attorney shall be required to also advise the victim of their right to have victim advocates and a support person present at any interview by the defense attorney or investigators or agents employed by the defense attorney.

AB 1201 Murray**Chapter 698****Domestic Violence**

Among other provisions, expands the list of victims that must be furnished a "Victims of Domestic Violence" card by law enforcement officers at the scene to include victims of battery or corporal injury on a spouse or domestic partner. Also requires that the card include a statement that battery and corporal injury on a spouse or domestic partner is a crime.

AB 1531 Shelley**Chapter 187****Domestic Violence: CLETS**

Existing law provides that data related to civil and criminal domestic violence protective orders, restraining orders, and injunctions shall be transmitted to the California Law Enforcement Telecommunications system (CLETS) of the Department of Justice. The data may be transmitted by court personnel or another appropriate agency, only with prior approval by the Department of Justice. Among other provisions, this law specifically requires that the court or its designee enter specified data within one business day upon issuance of any criminal court protective order.

AB 1767 Havice**Chapter 699****Domestic Violence**

Revises existing domestic violence laws to include battery against a former spouse, whether or not cohabiting, or a person with whom the defendant currently has, or has previously had, an engagement relationship. Authorizes a peace officer to arrest a person without a warrant when the assault or battery is committed against the person's former spouse, fiancée, fiancé, or a person with whom he or she currently has, or has previously had, an engagement relationship.

AB 1803 Lempert**Chapter 700****Crime Victims: Restitution**

Existing law provides for restitution to victims for injuries sustained as a direct result of a crime. Victims of specified crimes who sustain emotional injury are also presumed to have sustained physical injury. This law would also apply this presumption to a child who is deprived of lawful child custody or to a child who has witnessed a crime of domestic violence.

AB 1900 Cardenas**Chapter 511****Domestic Violence: Confidentiality of Identifying Information**

Specifies procedures and requirements relating to the issuance of orders prohibiting the disclosure of the address or other identifying information regarding a child, parent, guardian, or any other party in any proceeding under the Uniform Interstate Family Support Act. Among other things, specifies that an order would be issuable only upon an application, made under penalty of perjury, by the party, child, parent, guardian, or support enforcement agency. Also requires a support enforcement agency to provide specified information regarding nondisclosure orders and to seek a nondisclosure order in specified circumstances.

AB 1926 Wildman**Chapter 127****Sex Offenses: Evidence**

Existing law excludes the admission of evidence of opinion, reputation, and specific instances of the complaining witness' sexual conduct in any prosecution of a specified sex offense when that evidence is offered to prove consent. This law would also make inadmissible any evidence of the manner in which the complaining witness was dressed at the time of the offense, unless the court finds the evidence relevant and admissible in the interests of justice. Further requires the court to state on the record the reasons for admitting or excluding such evidence.

AB 1927 Morrow**Chapter 928****Sex Offenders: Probation: Notification Requirements**

Makes various changes in existing law regarding registration, probation, and notification requirements for sex offenders. Among other provisions, authorizes the court, as a condition of probation and at the request of the victim or in the court's discretion, to order that the defendant stay away from the victim and the victim's residence or place of employment and have no contact with the victim in person, by telephone or electronic means, or by mail.

AB 1999 Kuehl**Chapter 933****Hate Crimes: Gender**

Amends current hate crimes statutes that do not include gender as a category to add gender to the list of groups in which the victim's membership entitles the victim to protection. Revises the definition of "gender" to mean the victim's actual sex or the defendant's perception of the victim's sex, and includes the defendant's perception of the victim's identity, appearance, or behavior, whether or not it is different from that traditionally associated with the victim's sex at birth. Also requires the Attorney General to add gender to the list of hate crime categories for which local law enforcement agencies must report to the Department of Justice.

AB 2172 Sweeney**Chapter 701****Domestic Violence: Officer Response**

Requires that training courses for law enforcement officers in the handling of domestic violence complaints include the techniques for recognizing the signs of domestic violence. Also adds to the list of standardized officers' responses to domestic violence calls to include: 1) transportation of victims and children to a hospital for treatment when necessary, and 2) police standbys for assisting a victim with the removal of personal property and safe passage out of their residence.

AB 2177 Kuehl**Chapter 702****Domestic Violence: Protective Orders**

Strengthens and clarifies existing law with respect to enforcement of domestic violence protective orders issued in any other state, tribe, or territory. Among other things, no longer requires that a valid out-of-state protective or restraining order be entered into the Domestic Violence Protective Order Registry prior to being enforced as if issued in this state. It instead requires that such an order be registered with a California court and entered into the Registry at the request of the person in possession of the order. Also requires that information be provided to the protected party regarding agencies to contact for enforcement assistance.

AB 2351 Hertzberg**Chapter 826****Computer Crime**

Expands the definition of the term “credible threat” to include threats which are communicated through the use of an electronic communications device, including telephones, cellular phones, computers, video recorders, fax machines, and pagers; requires police officers to receive training in high-technology crime. Also requires the Office of Criminal Justice Planning (OCJP) to conduct a feasibility study regarding a state-operated center on computer forensics collection and appropriates \$230,000 to OCJP for this purpose.

AB 2700 Kuehl**Chapter 703****Domestic Violence Courts**

Requires the Judicial Council to conduct a study of various domestic violence courts in California and other states and to report its findings to the Legislature on or before March 1, 2000. The study shall describe policies and procedures used in these courts and provide an analysis and rationale for their common features, as well as identify issues and potential obstacles, if any, to be considered in developing and implementing effective domestic violence courts at the local level.

ACR 179 Perata**Resolution Chapter 108****Domestic Violence Prevention Week**

Designates the week of July 12 through July 19, 1998, as Domestic Violence Prevention Week.

SB 165 Solis**Chapter 411****Unemployment Compensation**

Provides, for purposes of unemployment compensation, that individuals may be deemed to have left their job with “good cause” if it was to protect themselves or their children from domestic violence abuse. Unemployment compensation benefits paid to that individual would not be chargeable to the account of the employer, except under certain circumstances.

SB 489 Alpert**Chapter 1005****Public Records: Confidential Information**

Establishes an address protection program, until January 1, 2005, for victims of domestic violence under which the victim can designate the Secretary of State as the agent for processing and receiving their mail. When certified by the Secretary of State as a program participant, the victim's actual address becomes confidential. Also permits a participant to vote in a confidential manner and to make marriage application information confidential. Appropriates \$227,023 to the Secretary of State for these purposes.

SB 1470 Thompson, M.**Chapter 182****Criminal Procedure: Warrantless Arrest: Domestic Violence**

Amends existing statutes relating to warrantless arrest procedures. Adds a number of additional persons to the class of persons upon whom assault or battery is committed, including among others a current or former spouse or cohabitant, a person with whom the defendant is having or has had an engagement relationship, and a person with whom the defendant parented a child. Also includes, as a basis for warrantless arrest, alleged violations of a protective order that has been issued which specifically protects against acts such as stalking and sexual abuse.

SB 1682 Solis**Chapter 707****Domestic Violence**

Requires the inclusion of gun restriction information in the state's computerized Domestic Violence Restraining Order Registry and amends the time within which prosecutors are required to disclose evidence pertaining to prior acts of domestic violence. Also revises the disbursement of funds collected from individuals participating in batterers' treatment programs to require that a portion of the funds be deposited in the Domestic Violence Restraining Order Reimbursement Fund, and in the Domestic Violence Training and Education Fund created by this law.

SB 1796 Leslie**Chapter 825****Stalking: Cyberstalking**

Expands the definition of "credible threat" in current stalking and harassment laws to include those threats made by means of an electronic communication device, including telephones, cellular phones, computers, video recorders, fax machines, and pagers.

SB 1927 Schiff**Chapter 630****Criminal Procedure: Discovery**

Prohibits the prosecuting attorney, the defendant's attorney, or investigator for either the prosecution or the defendant from interviewing, questioning, or speaking to a victim or witness whose name has been disclosed by the defendant without first clearly identifying himself or herself, the full name of their employer, and whether they represent, or have been retained by, the prosecution or the defendant. If the interview takes place in person, the party is required to also show the victim or witness a business card, official badge, or other form of official identification before starting the interview.

SB 1939 Alpert**Chapter 123****Commencement of Actions: Domestic Violence**

Provides that commencement of an action for recovery of damages suffered as a result of domestic violence shall be within 3 years from the date of the last act of domestic violence by the defendant against the plaintiff or within 3 years of the date the plaintiff discovers or reasonably should have discovered that an injury or illness resulted from an act of domestic violence—whichever occurs last.

SB 1991 O'Connell**Chapter 450****Animal Cruelty: Probation**

Requires the court to order a defendant who is convicted of animal cruelty and is placed on probation to successfully complete counseling designed to evaluate and treat behavior or conduct disorders. The counseling shall be in addition to, not in lieu of, any other terms and conditions of probation, including any imprisonment or fines.

SB 2202 Haynes

Chapter 557

Victims of Crime: Emergency Awards: Funeral and Burial Expenses

Authorizes the State Board of Control to grant an emergency award from the Victims of Crime Restitution Fund of up to \$5,000 if the victim dies as a result of the crime and any individual, without anticipation of personal gain, incurs the funeral and burial expense.

SCR 63 Solis

Resolution Chapter 119

Domestic Violence Awareness Month

Proclaims the month of October 1998 as Domestic Violence Awareness Month.

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